

i. Preamble

This paper has been written as a starting point for public input in identifying key policy, technical and process issues associated with the implementation of the Comprehensive Everglades Restoration Program (CERP). The paper is the result of many hours of debate and discussion among federal and state partners including the Department of the Interior, the U.S. Army Corps of Engineers, U. S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection and the South Florida Water Management District.

The focus of the paper is to provide a proposed methodology for identifying and protecting existing legal sources, and identifying and reserving water for natural systems consistent with state and federal law. Many outstanding issues will need to be resolved by affected stakeholders in order to realize the successful implementation of the CERP program. Building a consensus through a public process is important to this success and can be expected to result in modifications to the proposed methodologies or assumptions contained herein. It is also anticipated that some of the outstanding issues will require further technical input by our state and federal partners in order to properly frame the implications of changing certain assumptions, particularly in regard to the pre-CERP baseline and existing legal source identification. The ultimate goal should be that all interests are treated equitably, that the natural resources are restored and protected, and that existing and future water supply needs are provided for – all consistent with the assumptions and expectations of the CERP program and relevant state and federal laws.

The paper is organized into six major sections which discuss: 1) the purpose of the document; 2) relevant legal directives; 3) conceptual relationships of demands, resource protection tools and CERP; 4) identification and protection of existing legal sources; 5) concepts for protecting water made available by CERP; and 6) relationships of water reservations and operating manuals.

Four appendices are also attached which provide more detailed information, including: 1) preliminary definition of terms; 2) Water Resource Development Act of 2000; 3) preliminary pre-CERP baseline assumptions; and 4) Guidance for Project Delivery Teams for Identifying the Amount of Water to be Reserved for the Natural System in the Project Implementation Report Process.